

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARISOL DAVILA,

Plaintiff(s),

-against-

INTREN LLC and BRETT WILLIAM SPARENGERG,

Defendant(s).
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PETITION OF REMOVAL

**TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK, NEW YORK AND TO ALL PARTIES
TO THE ACTION HEREIN:**

Defendants, INTREN LLC and BRETT WILLIAM SPARENGERG file this Petition for Removal under 28 U.S.C. §§ 1441, 1446, 1332, and Federal Rules of Civil Procedure, Rule 81 (c) and Local Rule 81.1 and respectfully show the Court:

- A. The Petitioner is the Defendants in the above-entitled action.
- B. The above-entitled action, as to all named defendants, was commenced in the Supreme Court of the State of New York, County of Bronx, by the electronic filing of a Summons and Complaint, on January 6, 2022 under Index Number 800249/2022E, and is now pending in that Court.
- C. The above-mentioned action is a civil action to recover money damages for alleged negligence.
- D. The action is one of which the United States District Courts are given original jurisdiction under 28 U.S.C. § 1332 (a) by reason of the complete diversity of citizenship of the parties.
- E. Upon information and belief, the amount of controversy in the action, exclusive of interest and costs, exceeds \$75,000.00.

F. Thirty (30) days have not yet expired since the action thereby became removable to this Court. This action was commenced by electronic filing, with the Bronx County Clerk, of the Summons and Complaint on January 6, 2022, (**Exhibit “A”**). Defendants INTREN LLC and BRETT WILLIAM SPARENGERG was alleged to have been served and notified of the Complaint on January 21, 2022 and February 7, 2022 respectively (**Exhibit “B”**). The Answer of defendants was electronically filed on January 25, 2022 (**Exhibit “C”**).

G. According to the Plaintiff’s Verified Complaint, Plaintiff is a resident of the State of New York. Defendant BRETT WILLIAM SPARENGERG is a resident of the State of Georgia; Defendant INTREN LLC is a resident of the State of Illinois (See **Exhibit “A”**).

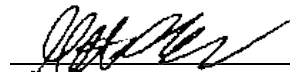
H. Copies of all pleadings, process and orders served in this action are attached hereto, and marked as **Exhibits “A”, “B” and “C”**.

WHEREFORE, Petitioner requests that the above-entitled action be removed from the Supreme Court of the State of New York, County of Bronx, to the United States District Court of the Southern District of New York.

Dated: White Plains, New York
February 22, 2022

Yours, etc.

LAW OFFICE OF THOMAS K. MOORE



By: STUART R. SIMON (SRS0570)

Attorneys for Defendant(s)

INTREN LLC and

BRETT WILLIAM SPARENGERG

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